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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,354	06/23/2005	Robert S. Sevigny	209546-98123	2672

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HONIGMAN MILLER SCHWARTZ & COHN LLP
38500 WOODWARD AVENUE
SUITE 100
BLOOMFIELD HILLS, MI 48304-5048

EXAMINER

LEE, EDMUND H

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/540,354

Applicant(s)

SEVIGNY ET AL.

Examiner

EDMUND H. LEE

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-6 and 9-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims introduce new matter into the disclosure. The added material which is not supported by the original disclosure is as follows:

- a) the phrase "the class 'A' surface is defined by the in-mold coating" (cl 1, lns 14-15) lacks support in the instant disclosure. The instant specification at paragraph [0009] states that the class "A" surface is defined by the surface of the cavity.

- b) the phrase "wherein the above steps are conducted in one cycling operation" (cl 1, lns 17-18) lacks support in the instant disclosure. The instant specification at paragraph [0014] defines "one cycle" as the time from closing the mold tool to opening the mold tool. The definition does not mention the steps of providing a low-pressure mold tool, introducing an in-mold coating, and introducing a work piece material.

- c) the phrase "airlessly atomizing the in-mold coating" (cl 11, lns 2-3) lacks support in the instant disclosure. The instant specification at paragraph [0009] mentions

spraying the coating, but does not mention the combination of airless and atomizing. In fact, the instant specification mentions using an airless gun or an air atomized gun.

d) the phrase "masking...second mold halves" (cl 12, Ins 3-5) lacks support in the instant disclosure. The instant specification mentions forming two tones by spraying the two coatings on the workpiece. There is no mention in the instant specification of spraying two coatings on the first and second mold halves.

Correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0995568 in view of Pritchard et al (USPN 5837172). In regard to claim 1, EP 0995568 teaches all of the claimed limitation (paragraphs 0012-0014, 0020, 0022-0025, 0029-0044, 0054-0058; and figs 1-7) except forming a workpiece including an integral class "A" surface. It should be noted that the in-mold coating of EP 0995568 is the outer skin of a vehicle trim part, wherein the skin can have a textured (grained) or untextured surface. Pritchard et al teach molding a composite vehicle trim part, wherein the outer layer of the trim part is molded to have a textured (grained) class "A" surface (col 3, Ins 12-18; and figs 1 and 6). EP 0995568 and Pritchard et al are combinable because they are analogous with respect to molding composite vehicle trim parts. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

mold a class "A" outer layer surface as taught by Pritchard et al by the process of EP 0995568 in order to form a trim part having enhanced aesthetic appearance. In regard to claims 2-6 and 9, such are taught by EP 0995568 (paragraphs 0012-0014, 0020, 0022-0025, 0029-0044, 0054-0058; and figs 1-7). In regard to claim 10, it is well-known in the molding art to formulate a mold release agent into a coating material. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a mold release agent into the coating of EP 0995568 in order to simplify the molding process. In regard to claim 11, such is well-known in the spraying art as an effective means for coating a substrate. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to airlessly atomize the coating of EP 0995568 in order to facilitate spraying the coating. In regard to claim 12, such is well-known in the molding art to cover different portions of a mold surface with different materials in order to form a product having different characteristics. See class 264, subclass 245. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to mask portions of the mold surface of EP 0995568 in order to form a product having diverse appearances and characteristics.

5. Applicant's arguments with respect to claims 1-6 and 9-12 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571.272.1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EDMUND H. LEE
Primary Examiner
Art Unit 1791

EHL


1/21/08